

# CHAPTER 2

## PLAN IMPLEMENTATION, PUBLIC PARTICIPATION AND REVIEW

### Introduction

The Town of La Conner actively encouraged public participation in the 2024 - 2025 Comprehensive Plan update process. The Planning Commission held numerous public meetings to discuss the various sections of the plan. Notice of those meetings and the agendas were published in the local newspaper, made available at Town Hall and on the La Conner website, and distributed via email and text for those individuals registered in the Town's Notify Me system. A series of "Community Mingles" to discuss the various elements were held. A variety of sources were used to advertise each meeting, and residents were encouraged to attend the Mingles and/or offer written comments. The Town also invited representatives from organizations such as the Chamber of Commerce, Port of Skagit County, local tribal interests, and the La Conner School District to participate as well.

La Conner held several different types of meetings in order to promote public engagement and participation. These meeting types are outlined in the below chart.

Planning Commission Meeting	Open to the public, designed primarily for Commissioner review of planning project. The commission historically accepts public comment throughout the meeting.
Town Council Meeting	Open to the public. The Town Council accepts both written and verbal comments. Letters to Town Council are posted to the Town website for the benefit of the public.
Community Round Table	Informal community meeting designed to get input on a specific topic. Community Round Tables were the precursor to Community Mingles.
Community Mingle	Informal community meetings designed to get public input on a specific topic. Community Mingles always include discussion groups, with the ultimate goal to encourage community members to talk to one another about their ideas and concepts, and find common ground.
Public Workshop	Community meetings designed to present information to the public. Often, this takes the form of an informational

	session focused on one topic, and then community members have the chance to ask questions and make comments. Sometimes public workshops involve breakout discussion groups.
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A total of 30 Planning Commission meetings were held from 2023 to 2025 to discuss various elements of the Comprehensive Plan. The agenda for each meeting was published in advance and time was set aside at each meeting to allow for public comment. Planning Commission and Town Council meeting attendance was sporadic, with some plan elements generating more interest than others. The majority of the Comprehensive Plan review process occurs during planning commission meetings, which are always open to the public, with multiple opportunities for public comment.

During the week prior to each meeting, workshop agendas were published in the La Conner Weekly News, the Town’s local newspaper. In addition, meeting notices were posted on the town’s website, at Town Hall, at Maple Hall, and on local community bulletin boards. Informational articles outlining the Comprehensive Plan public process were written by a reporter from the La Conner Weekly News during the process.

Community Mingles were held on subjects related to various elements of the Comprehensive Plan. The attendance at the Community Mingles was significant. The discussions were fruitful and informative, and had a positive impact on the development of each element of the plan. These discussions provided important comment and feedback to the Planning Commissioners, the Planning Department, and the Town Council. Community Mingles are an important method of connecting with the La Conner community, and as such are used only when public input can result in real, actionable change. La Conner is aware of the concept of “citizen fatigue” and strives to combat this by linking opportunities for citizen comment with governmental action, so that citizens can see the impact of their voice in real time.

One significant addition to La Conner’s Comprehensive Plan is the creation of an area-wide plan to help define future uses of properties currently zoned Commercial Transition. This area-wide plan, which is included as an appendix to the Land Use Element, was also the subject of public meetings, as documented below.

Community involvement in the development of the town’s Comprehensive Plan update has been a high priority for the staff, the Planning Commission, and the Town Council, with a special focus to include vulnerable and overburdened populations and communities. To that end, public meetings were held in several locations and at different times, in order to facilitate the ability of the public to attend and participate.

MEETING DATE	MEETING TYPE	SUBJECT	PARTICIPANTS (est)
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2/7/23	Community Round Table	Public Participation	~20
10/17/23	Community Mingle	Short Term Rentals	~40
2/20/24	Community Mingle	South First Street/Parking	~35
4/25/24	Community Mingle	Jenson Property	~30
9/30/24	Public Workshop	Moore-Clark Subarea Plan	~20
12/11/24	Public Workshop	Moore-Clark Subarea Plan	~40

The community will have additional opportunities to comment on the Comprehensive Plan update during the adoption process.

### **Components of the Comprehensive Plan**

The Comprehensive Plan is the unifying document that outlines how the community will direct development and retain certain qualities of the Vision Statement. With the Growth Management Act (GMA), the Comprehensive Plan gained significant weight in decision-making and code development.

A plan written to comply with the GMA must address in general terms the twenty- year period following plan adoption, with a detailed financial analysis for the first six years after adoption. The plan contains the mandatory elements required by the GMA at RCW 36.70A.070:

- 1) **Land Use Element** designating the proposed general distribution and general location and extent of the uses of land for housing, commerce, industry, recreation, open space, public facilities, utilities and other land uses.
- 2) **Housing Element** containing an inventory and analysis of existing and projected housing needs and making adequate provisions for all economic segments of the community.
- 3) **Capital Facilities Element** consisting of an inventory of existing capital facilities owned by public entities, the proposed locations and capacities of forecasted improvements and a six-year plan demonstrating how these improvements can be financed.
- 4) **Utilities Element** showing the general locations, proposed locations, and capacity of all existing and proposed utilities, including telephone and electrical lines, pipelines, etc.
- 5) **Transportation Element** including an inventory of transportation facilities and services, an analysis of future transportation needs, a six-year financing plan for needed improvements. (Not included in this update to be completed by 2019)

6) **Economic Development Element** provides a summary of the local economy, current population and employment, a summary of the strengths and weaknesses of the local economy, and goals and policies to support economic development projects. Reflects the work of the Economic Development Task Force and provides direction to the Economic Development Commission.

7) **Parks and Recreation Element** provides a summary of existing parks and recreational opportunities within the Town as well as projected future parks and recreational needs.

8) **Climate Change Element** is a newly-mandated element that will enable the Town to create policies to address the threats posed by climate change. As a waterfront community, this will be a critical issue for the Town to address.

In 2024, the state legislature added requirements to modify some elements (such as housing).

The Plan also contains background information, the community's vision statements, goals and policies, and other supporting information.

The Plan is written for several audiences: local decision makers, Town residents, developers, and state and county officials. The Plan maps out the Town's future so that development follows the Town's preferred scenarios and so that the Town Council can anticipate and plan for the public expenditures that development will require.

Specifically, the plan is a legally recognized framework that serves these purposes:

1. The comprehensive plan is a guide for plans and regulations that govern the location and intensity of land uses, and it provides the basis for evaluating proposed changes in zoning, subdivision, and shoreline regulations. It also provides Town officials with direction in developing detailed plans and reviewing private development proposals, and it indicates to the public how likely the Town would be to approve zoning or other changes that apply to a specific parcel.
2. The plan provides the framework for decisions about the type and location of public facilities to accommodate projected growth.
3. The plan is a guide for Town and County coordination, for preparation of interlocal agreements, and for consideration of any proposed annexation.
4. With new state mandates, the plan will address issues related to housing affordability at all income levels.

## **Constitutional Considerations**

The Town is using the State Attorney General's Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property for evaluating constitutional issues, in conjunction with and to inform its review of regulatory and administrative actions. The Town has used the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the Town Attorney who has reviewed this Advisory Memorandum; has discussed this Memorandum, including the "warning signals" identified in the Memorandum, with decisions makers; and conducts an evaluation of all constitutional provisions potentially at issue and advises of the genuine legal risks, if any, associated with proposed regulatory or administrative actions to assure that the actions do not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2).

## **Policies**

The policies under each of the goals specify actions that are either represented in code or through interpretation of the code during land use permitting. These policies are essential to attain consistency throughout the Comprehensive Plan and Uniform Development Code.

## **The Decision-Making Process**

The Town Council, Administration, Planning Commission or individual citizens may propose amendments to the Comprehensive Plan. The Town Council has the final authority to adopt any amendments to the Comprehensive Plan after receiving recommendations from the Planning Commission. The Council's final decision is made after the Comprehensive Plan is reviewed by Skagit County and the state's Department of Commerce.

In addition to the public hearing process before the Planning Commission and Town Council, the public has the opportunity to participate and provide comments during the numerous public meetings that are advertised at the regular meetings of the Planning Commission.

## **Amending the Comprehensive Plan**

This Comprehensive Plan is based upon the best available information. As years go by, better information or changing circumstances may require the change or amendment of this plan. Such information could be a revised sewer or water plan, for instance. In any event, it is likely that this plan, designed to guide the Town of La Conner to the year 2045, will need to be amended before that time. Therefore, the following procedure shall be used to amend this Comprehensive Plan:

The Comprehensive Plan may be amended once per year, unless there is an emergency. All citizen requests for amendments must be filed with the Planning Department at Town Hall by the last business day in January to be considered in that calendar year. Applicants will be expected to show cause as to why their

proposed change should be made. If amendments are proposed they shall be brought to Town Council for docketing by the Planning Department staff.

Every seven years, or as often as specified by the legislature, the Comprehensive Plan must be amended to include updated demographics, economic data, analysis, legislative mandates and Growth Management Hearings Board Decisions. The decennial census, performed on the federal level and analyzed by the state, is critical for updating population demographics.

Amendments to the Comprehensive Plan shall be adopted in accordance with RCW 35A.63.070 to 35A.63.073 as outlined below:

The amendment process begins with the Planning Department. The application is made along with a State Environmental Policy Act (SEPA) checklist to address potential environmental concerns. In addition to the Town's procedures outlined below, the draft plan is also subject to a 60-day review by the Washington State Department of Commerce, and by Skagit County.

The Planning Commission will conduct a public hearing on the proposed amendments and review based on:

- (a) The proposal demonstrates that the requested amendment is timely and meets at least one of the criteria in LCMC 15.125.090(3);
- (b) The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- (c) The proposed amendment will not adversely impact the general health, safety, and welfare of the community; and
- (d) Recommendations of staff and comments from members of the public.

The Planning Commission will then make findings and recommendations that:

- (a) Identifies any provisions of this code, comprehensive plan, or other law relating to the proposed change and describes how the proposal relates to them;
- (b) States factual and policy considerations pertaining to the recommendation;
- (c) Includes written comments, if any, received from the public.

The Town Council will conduct a public hearing to review the record and adopt, amend or reject the proposed amendments to the Comprehensive Plan.

### **Comprehensive Plan Amendment Appeals**

Comprehensive Plan amendments adopted by the Town Council may be appealed to the state's Growth Management Hearings Board.